

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**DECLARATION**

ATTORNEY'S DOCKET NO.  
**36559/485**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled **CLOSURE AND CONTAINER SYSTEM AND METHOD FOR SEALING A CLOSURE ON A CONTAINER**, the specification of which is being filed with the U.S. Patent and Trademark Office herewith.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a) including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

**PRIOR FOREIGN APPLICATION(S)**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. § 119

**PRIOR UNITED STATES APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE (day, month, year)	STATUS (i.e. Patented, Pending, Abandoned)

SEND CORRESPONDENCE, AND DIRECT TELEPHONE CALLS TO:

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**Customer No. 26646**

I declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR	FAMILY NAME <b>HERR</b>	FIRST GIVEN NAME <b>James</b>	SECOND GIVEN NAME <b>E.</b>
RESIDENCE & CITIZENSHIP	CITY <b>Lititz</b>	STATE OR FOREIGN COUNTRY <b>Pennsylvania</b>	COUNTRY OF CITIZENSHIP <b>United States</b>
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Signature <i>James E. Herr</i>		Date <i>Jan. 5, 2004</i>	

**APPOINTMENT OF POWER OF ATTORNEY  
BY ASSIGNEE OF ENTIRE INTEREST**

KERR GROUP, INC., as assignee of the entire right, title, and interest in the application for patent entitled **CLOSURE AND CONTAINER SYSTEM AND METHOD FOR SEALING A CLOSURE ON A CONTAINER**, which is being filed with the U.S. Patent and Trademark Office on even date herewith, hereby appoints Thomas J. Meloro (Registration No. 33,538), Clifford A. Ulrich (Registration No. 42,194) and Brian E. Hennessey (Registration No. 51,271) as its attorneys/agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications regarding this application to:

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New York, New York 10004

Please direct all telephone calls to Thomas J. Meloro at (212) 425-7200.

**KERR GROUP, INC.**  
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Lancaster, Pennsylvania 17602

Dated: January 5, 2004

By: Mark Fricke

Name: MARK FRICKE

Title: U.S. PRODUCT DEVELOPMENT